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BURUNDI

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I. LAND AND PEOPLE

A. The land

1. Burundi is one of the points where Central Africa and East Africa meet. It lies in the Great Lakes region, between latitudes 2° 20' and 4° 27' south and longitudes 28° 50' and 30° 53' east. It is 27,834 square kilometres in area, including territorial waters in Lake Tanganyika that amount to just over 2,000 square kilometres. It is a landlocked country situated some 1,100 kilometres from the Indian Ocean and more than 2,100 kilometres from the Atlantic Ocean. It is bounded on the north by Rwanda, on the west by the Democratic Republic of the Congo and on the south and east by Tanzania.

2. Burundi's geography is very varied but harmonious. The main features are, from west to east: the Imbo plain, the series of spurs called the Mirwa, the crest of the Nile-Zaire watershed, the central plateaux and the eastern depressions. In geoclimatic terms, Burundi is characterized by a series of thermal levels: the Imbo plain and the eastern depressions, where the annual temperatures range between 20° C and 24° C; the temperate central plateaux; and the cool mountains (15° C). Rainfall increases with altitude. The seasons are of uneven length: the rainy season runs from October to May and the dry season from June to September.

B. Population

3. The latest census, of August 1990, put the population of Burundi at 5,292,795; it is now estimated to be 6 million. The population density is 210 per square kilometre. The annual rate of population growth, which was 2.2 per cent in the late 1980s, has been estimated at 2.9 per cent for the 1990s.

4. The population is distinguished by a feature rare in Africa. It is culturally and linguistically homogeneous. Burundi has a single spoken and written language, Kirundi, which is understood by the whole population and transmits a single culture preserved from time immemorial.

C. Ethnic characteristics

5. It is difficult to speak of the country's "ethnic" characteristics because the term would be misleading if used to refer to the composition of the population of Burundi. If an ethnic group is a group of human beings whose unity is based on a common economic and social family structure, then the term cannot be used in the case of the Burundian people. The Barundi are Hutu, Tutsi and Twa Ubwoko*. They all speak the same language, are linked by one and the same culture and live intermingled in the same regions and under the same conditions.

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* No simple equivalent in other languages. More or less equivalent to "original African population groups".

D. Socio-economic indicators

6. The main socio-economic indicators are as follows:

Land surface: 27,834 km² (lake area: 2,000 km²)

Population (1993): 5,769,144 (male 48.63%; female 51.37%)

Per capita gross domestic product (GDP) (1993): US$ 155

Land use (1992):

- Agriculture: 8,244 km² (31.8%)
- Irrigated agriculture: 100 km²
- Pasture: 7,277 km² (28.2%)
- Forests and woodland: 2,100 km² (8.1%)
- Available unused land: 6,556 km² (25.4%)
- Unusable land: 1,677 km² (6.5%)
- Total: 25,834 km² (100%)

Demographic statistics:

Population growth rate (1990-2000): 2.9%

Population distribution (1993):

Urban:	7.0%
Rural:	93.0%
Total:	100%

Urban population density (1993, Bujumbura municipality): 3,292 per km²

Urban population growth rate: 6.2%

Population under 15 years of age: 46.9%

Health (1990-1993)

Infant mortality rate (per thousand live births in 1993): 136

Life expectancy at birth (1993): 53

Population with access to

- Safe water (1993): 71.3%

- Sanitation (1993):

Urban areas:	70.7%
Rural areas:	46.5%
Overall:	58.6%

Number of inhabitants per doctor (1993): 13,691

Number of inhabitants per hospital bed: 808

Education (1992-1993)

Enrolment rate

Primary (gross):	68%
Secondary (gross):	6.9%
Higher (gross):	0.7%

Literacy rate

Male:	61%
Female:	40%
Overall:	50%

Proportion of graduates (1992-1993): 1%

Employment

Distribution of workforce by sector (1992)

Agriculture:	92.9%
Manufacturing:	1.6%
Services:	5.5%

Formal employment

Private sector (1992): 26,251 employees
Quasi-governmental sector (1992): 21,004 employees
Civil service (1995): 28,835-civil servants

The economy

GDP growth (1994): -6.7%

Average annual growth rate (1984-1994): 3.09%

Average inflation rate (1984-1994): 7.2%

GDP share accounted for by main economic activities (1994)
(current prices, factor costs)

Agriculture:	53.6%
Manufacturing:	13.4%
Services:	33.0%
Total	100%

GDP-related expenditures (1994)

Employment remuneration (current prices)

Public sector consumption:	15.0%
Private consumption:	87.1%
Investments:	9.7%
Imports:	-23.2%
Exports	11.4%
Total	100%

Balance of payments (1994) (in millions of Burundi francs (FBu))

Exports:	21,187
Imports:	-46,622
Services (net):	-25,175
Transfers (net):	46,928
Balance on current account (including transfers):	-3,682
Long-term capital:	6,412
Short-term capital:	5,254
Overall balance:	7,984
Errors and omissions:	1,610
Net international reserves (variation):	-6,374
Financing - use of IMF credit:	-
Financing requirements:	-

External debt (long- and medium-term, 1994): 265,129 million FBu

Debt/GDP: 118%

External debt service ratio

1992: 42.9% of exports of goods and non-factor services
1993: 46.8%
1994: 31.8%

Main exports (1994)

Coffee:	68.2%
Tea:	11.1%

Main export markets (1993-1994)

EU: 80%
Economic Community of Central African States (ECCAS): 15%

Infrastructure

Roads:	6,000 km
Railways:	-

Electricity generation

1991: 100.6 million kWh
1993: 101.3 million kWh

General

Religions

Catholic: 75%
Protestant: 15%
Muslim: 5%

Official languages: Kirundi, French

Currency: Burundi franc

Exchange rate 1994 (annual average): 1 Special Drawing Right (SDR) = 361.26 FBu; 1 US$ = 252.25 FBu.

Financial year: January-December

Sources: UNDP, Cooperation for Development. Burundi. 1994 report. December 1995; Macroeconomic information from the Ministry of Planning, Development and Reconstruction.

II. GENERAL POLITICAL STRUCTURE

A. Political history of Burundi

7. The political history of Burundi can be divided into three major periods: the precolonial period (1500-1889), the colonial and trusteeship period (1889-1962) and independent Burundi, first as a monarchy and then as a republic.

1. Precolonial period (1500-1889)

8. According to basically oral sources, the Kingdom of Burundi was a hierarchical society with several levels: the King (umwami), the chiefs (abaganwa) and the guardians of the secrets of the Kingdom (abanyamabanga); the deputies and auxiliaries of the leadership; and the population at large.

9. The mwami was the centre of the entire system and the point of reference for all the other levels. The baganwa were, for the most part, direct descendants of the King; the political and administrative organization of the country was basically in their hands. The deputies and auxiliaries came, generally speaking, from among the people (farmers, cattlemen and craftsmen). There were also the bishikira, who administered the royal domains, the subchiefs (abatware) and delegated authorities (ivyariho), and the "hill notables", known as abashingantahe.

10. The mwami, at the top of the hierarchy, was believed to be of supernatural origin. Although the population at large was not involved in the

appointment of either the King or the other politi al and administrative authorities, it undoubtedly accepted the system as it was. In other words, the King and his appointed assistants enjoyed traditional legitimacy. With regard to the exercise of power, the King held what today is called the executive power, which he delegated in part to the baganwa and the other officials of the administration.

11. What would today correspond to legislative power can be said to have been exercised essentially by the population at large, since all the laws, even the most general ones, had originated in customs - and customs are a spontaneous creation of society.

12. Justice was administered by the mwami, since disputes were settled at the Royal Court. However, the King, as the final arbiter and judge, adjudicated only in disputes of major importance such as those involving land ownership, cattle, and criminal or political cases. Other cases were settled at lower levels by courts presided over by the chiefs (abaganwa), the subchiefs (abatware) or, in the hills, the bashingantahe.

13. An examination of the way in which the monarchical system operated during the precolonial period reveals positive and negative aspects of the system. On the positive side, it may be said that the monarchy succeeded in forming a nation and in preserving national unity and social peace. In addition, it established an essentially democratic institution, the ubushingantahe. Lastly, power was perceived as being exercised in the interests of the population at large and of the maintenance of order in society. On the other hand, the monarchical system harboured inequalities that were linked to the privileges of birth granted to the ruling class. Moreover, the monarch's power could be arbitrary, despite the existence of institutions for social regulation.

2. Colonial and trusteeship period (1889-1962)

14. This period can be subdivided into the German period (1889-1916) and the Belgian period (1916-1962).

15. The period of German occupation was marked chiefly by the signing of the Treaty of Kiganda (1903), whereby the country lost its sovereignty. In 1916, German domination gave way to Belgian rule, which lasted from 1916 to 1962, the year in which Burundi regained its sovereignty.

16. From 1916 to 1923, Burundi was under Belgian military occupation; from 1926 to 1946, it was held by Belgium under a mandate. In 1946, by virtue of an agreement between Belgium and the United Nations, Burundi was made a trust territory under Belgian administration. The period of the mandate and the trusteeship can be divided into two subperiods, the first lasting from 1925 to 1960 and the second from late 1960 to 1 July 1962.

17. During the first subperiod, the Belgian administration took charge and proceeded to make a number of changes in the political and administrative life of the country. The main effect of those changes, made between 1925 and 1933,

was to restrict and weaken the royal power, strengthen the power of the baganwa, who became civil servants in the Belgian administration, and gradually remove the Tutsi and Hutu chiefs and subchiefs. In 1952, the Belgian administration once again reorganized the traditional structures, setting up elected advisory bodies at all levels of the traditional administration, including the Higher National Council. In 1959, other reforms were envisaged in a government declaration on the future of Rwanda-Urundi and specified in a provisional decree dated 25 December: "the elimination of the administrative duality between the trusteeship authorities and the traditional authorities, the creation in the communes of councils elected by universal suffrage, the creation, countrywide, of an assembly composed of members elected by secondary ballot and of members representing the interests of the leading citizens". This decree was implemented some months later. The Higher National Council was replaced by a five-member interim commission, supplemented later by the appointment of nine country commissioners. The chiefs' territories became provinces, while the sub-chieftainries and the non-traditional centres were abolished and replaced by communes.

18. During the second subperiod, Burundi prepared for the transition from colonial status to independence. One feature of this period was that in addition to the established institutions, a large number of political parties appeared on the national political scene. Some, such as the Unity and National Progress Party (UPRONA), demanded immediate independence; others, such as the Christian Democratic Party (PDC), opposed such a speedy transition.

19. At the institutional level, a provisional Constitution was adopted on 26 November 1961. This Constitution gave wide powers to the mwami, who exercised the legislative power jointly with Parliament. The King also had the right to dissolve Parliament. His decisions under the powers vested in him by the Constitution could not become effective without the prior approval of the representative of the trusteeship authority.

20. The colonial and trusteeship period was characterized by the neutralization of the entire hierarchy of indigenous power by the foreign administration - in other words, a complete lack of democracy, given that the domination of one people by another is the very antithesis of democracy.

21. This period was also notable for the dearth of political programmes among certain of the innumerable political parties of the time, many of which were ethnicist or manipulated by foreigners. Inter-party rivalry was marked by violence and intolerance.

3. Independent Burundi

22. This period has consisted of a monarchical period and a republican period. The latter has seen the First Republic, the Second Republic and the Third Republic, the institutions established by the Constitution of 13 March 1992, the Convention on Governance and the transitional regime.

(a) Monarchical period

23. Though relatively short (1 July 1962-28 November 1966), this period was very eventful politically. Shortly after Burundi gained independence (1 July 1962), a new Constitution was promulgated (16 October 1962), annulling those provisions of the previous Constitution that gave the Belgian trusteeship authority the power to rule the Kingdom.

24. At the institutional level, the new Constitution made provision for the three powers: executive, legislative and judicial. The executive power lay with the King, who appointed and dismissed his ministers. The legislative power was exercised jointly by Parliament and the King.

25. This period was characterized by great political instability and by the absence of any real popular participation in the conduct of the affairs of State.

26. The democratic experiment under the monarchy in independent Burundi encountered serious difficulties despite the existence of institutions that were democratic in style. What was lacking was experience of running the country within a multi-party framework and of living in a pluralist democracy. Indeed, that is the most likely reason why the players on the national political stage of the time fell into so many traps: disregard for the law, political instability, intolerance, and the use of violence rather than peaceful means to resolve conflicts.

(b) Republican period

(i) First Republic

27. The First Republic was established after a coup d'état and lasted from 28 November 1966 to 1 November 1976. When this regime was proclaimed, the Constitution was suspended and, pending the drafting of a new one, decree-law No. 1/6 of 19 December 1966, on the organization of the legislative and regulatory powers, vested the head of State with the executive and legislative powers, which were exercised in conjunction with the Minister concerned and after consultation with the Legislative Commission.

28. On 11 July 1974, a new Constitution establishing the single-party principle was promulgated. The single party controlled the Government and the judiciary. The head of the executive was simultaneously General Secretary of UPRONA, President of the Republic and head of State and of Government. Even the legislative power was placed in the hands of the President of the Republic.

29. At first, the Government of the First Republic was notable for its genuine democratic methods. It undertook to treat everyone as equals, involved all sections of the population in the management of public affairs and restructured the party from top to bottom in order to give the people every opportunity to fulfil themselves. Very soon, however, the openness and

dynamism characteristic of the regime evaporated. The real power became concentrated in the hands of a small group of men surrounding the President of the Republic, and the regime became mired in ethnic and regional divisions and in evils such as nepotism and corruption.

(ii) Second Republic

30. The Second Republic, also the result of a coup d'état, lasted from 1 November 1976 to 3 September 1987. When it was proclaimed, the 1974 Constitution was suspended. In what was called a transitional stage, decree-law No. 1/186 of 26 November 1976 assigned the executive and legislative powers to the President of the Republic, who operated by means of decrees and decree-laws issued after deliberations in the Council of Ministers.

31. Two clearly contradictory trends could be observed during the Second Republic: one towards national renewal and one towards authoritarian rule.

32. The trend towards national renewal lasted until 1981-1982. During that period, the main feature of the nation's life was a process of democratization. The new leaders made outstanding efforts from the early years of the Second Republic to put the country back on its feet and improve the political, economic and social situation. Development projects were launched and new public and semi-public enterprises were established. In addition, the Government got down to the task of restoring peace and social justice, in particular by involving all the people of Burundi in the conduct of public affairs, without distinction on ethnic or regional grounds, by eliminating the institution of ubugererwa* and by reintegrating the refugees who had left Burundi, and who had been urged to return to the country.

33. At the end of this period, a new Constitution was promulgated by decree-law No. 1/23 of 20 November 1981. Institutions democratic in style, such as a National Assembly, were then established. The Constitution provided for the separation of the three powers, and for the supremacy of the President of the Republic: most important, he could dissolve the National Assembly, whereas the Assembly could not censure the Government.

34. The authoritarian control of life in Burundi was obvious by 1982, but there had already been clear signs in 1979-1980 that all was not as it should be. The fact was that, although the Government of the Second Republic had mended its fences with the people of Burundi by introducing various changes, it soon veered so far off course that power became concentrated in the hands of a coterie at the centre of which was the President of the Republic. From then on, the regime became increasingly authoritarian. The executive and legislative powers were adroitly controlled by the President, the independence of the judiciary was not always observed and Church-State relations deteriorated.

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* A property contract under which a debtor was installed on a piece of land provided by another person and was obliged to give that person a portion of the harvest or to cultivate the person's land free of charge as a way of repaying the debt.

35. The ruling class became embroiled in racketeering and ethnic, regional or clan divisions. The population at large was in effect excluded from the conduct of affairs that concerned it, especially by the fact that the role of the National Assembly was now only symbolic.

36. Human rights were proclaimed in the Constitution but not always respected. Freedom of expression gradually gave way to the law of silence. An atmosphere of distrust developed, and exclusion on ethnic, regional and other grounds became an established practice. Countless abuses were committed by the national security services, and the rules of due legal and administrative process were not always followed. Furthermore, the conflict between Church and State took on considerable proportions, particularly as a result of the constraints placed on freedom of worship.

(iii) Third Republic

37. The Third Republic was established following a military coup that took place on 3 September 1987. The main concerns of the new leaders were to restore public confidence, to improve the management of the State and to ensure better protection of human rights. The leaders set to work quickly, redoubling their efforts after the tragic events at Ntega-Marangara (in August 1988).

38. The important issue of national unity, a subject which had long been taboo, was thrown open for debate and discussed, without equivocation or prevarication, in all quarters - in meetings, seminars and other forums. The elaboration and adoption, by referendum, of a Charter of National Unity represented the continuation of this practical demonstration of the politics of dialogue and consultation advocated by the Third Republic, and one of its achievements.

39. At the institutional level, the 1981 Constitution was suspended. During the transitional period, pending the introduction of permanent institutions, legislative and regulatory power was assigned to the President of the Republic, who acted by decree-law and decree after deliberations in the Council of Ministers.

40. Out of a desire for power-sharing, a Prime Minister was appointed in October 1988: he was responsible for coordinating and supervising the activities of the Government and for carrying out other tasks entrusted to him by the President. He presided over the Council of Ministers whenever the President was unable to do so.

41. The principle of respect for the freedom of the individual and for human rights was affirmed and in the main was applied in practice. Examples include the normalization of relations between Church and State; changes in the working methods of the departments responsible for public security and intelligence; the ratification of a number of international conventions and agreements such as the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights; the approval by the Government of independent associations for the protection of human rights; the establishment of a disciplinary board to investigate any abuses committed by

members of the police force; the implementation of a policy of voluntary repatriation, resettlement and social and occupational reintegration of Burundian refugees; and the establishment of a Centre for the Promotion of Human Rights.

42. Even so, there was evidence of occasional undemocratic acts, including cases of torture and arbitrary arrest, prolonged pre-trial detention, abuse of power and corruption.

43. It was against this background of emergence and political change that Burundi began to move towards democracy and political pluralism. With the international climate favouring democracy and political pluralism, Burundi adopted a new Constitution incorporating the principle of multi-party politics.

(iv) Institutions provided for in the Constitution of 13 March 1992

44. As well as providing for a multi-party system, the 13 March 1992 Constitution established a number of State institutions, the most important of which were the Presidency of the Republic, the Government, the National Assembly and the judiciary. In addition, it dealt with the relationship between the executive and the legislature and with other important State institutions.

45. The President of the Republic is directly elected by universal suffrage for a five-year period of office, renewable for one further term (art. 61). He is not accountable to the National Assembly, but may be indicted before the High Court of Justice for high treason (arts. 81 and 158). The President of the Republic is the Head of the executive and embodies national unity, ensures respect for the Charter of National Unity and the Constitution and guarantees the continuity of the State, national independence, territorial integrity and respect for international treaties and accords (art. 70). He exercises, by decree, regulatory and executive power, which he shares with the Prime Minister; he appoints and dismisses the Prime Minister. On the basis of proposals from the Prime Minister, he appoints and dismisses the other members of the Government (art. 72). In judicial matters, he has the right of pardon (art. 77) and guarantees the independence of the judiciary, with the assistance of the Higher Council of the Judicature (art. 144), of which he is President. In the field of legislation, he shares with the National Assembly the right to initiate and amend bills (arts. 127 and 128).

46. The Government is a collegial body responsible for determining and conducting national policy (art. 87). It consists of the Prime Minister, Ministers and Secretaries of State (art. 86).

47. The Prime Minister is appointed by the President and is politically accountable to the National Assembly (art. 89). Thus, he is accountable to Parliament and there are a number of ways in which Parliament can regulate governmental action. The Prime Minister is also accountable to the President, who has the power to appoint or dismiss him. He must therefore account to the President for his actions in directing governmental activities. The Prime Minister is criminally accountable for offences or misdemeanours committed in the course of his duties (art. 94). He may be tried by the

High Court of Justice (art. 158). He directs the Government in accordance with decisions taken by the Council of Ministers. He countersigns the decrees issued by the President in the exercise of executive or regulatory power (art. 71, para. 2). He proposes candidates for appointment to the Government by the President (art. 72, para. 4). He presides over the Council of Ministers upon express delegation by the President of the Republic and for a given agenda (art. 91, para. 4). He orders all measures necessary for executing presidential decrees (art. 91, para. 2). Lastly, he makes appointments to civil and military positions other than those reserved for the President of the Republic (art. 91, para. 6).

48. Ministers are appointed by the President on the basis of proposals made by the Prime Minister. Under the Constitution, the office of Minister is incompatible with any other professional activity, including the exercise of a parliamentary mandate (art. 95). Ministers have significant powers. Each Minister participates as of right in the deliberations of the Council of Ministers (art. 93, para. 2). Ministers countersign presidential decrees and prime ministerial orders relating to their areas of responsibility (art. 71, para. 2; art. 91. para. 3). They head the ministerial departments entrusted to them and prescribe all measures to be taken in implementation of the orders of the Prime Minister. In addition, they may exercise any other power delegated by the Prime Minister (art. 91, para. 5; art. 92, para. 1).

49. The Secretaries of State assist the Ministers who head their departments. They participate as of right in the deliberations of the Council of Ministers (art. 93).

50. Parliamentary representatives are directly elected by universal suffrage, in a ballot based on a closed list and proportional representation, for a term of five years (art. 97, para. 1; art. 103). Representatives' mandates are national and any instructions relating to them are null and void (art. 106, para. 1). The Parliament of Burundi has various powers, the most important of which are the legislative power and the power to regulate the activities of the Government.

51. The legislative power consists in drafting laws. Article 111 of the Constitution of Burundi restricts the National Assembly's scope of action to certain matters that constitute the legal domain. All other matters, considered less important, are dealt with by decree and thus fall within the regulatory domain.

52. In regulating governmental action on specific points, Parliament may establish commissions of enquiry (art. 138) with wide investigative powers (for example, the right to call witnesses). Similarly, members of Parliament are entitled to address written or oral questions to the Government on specific points (art. 137). The Government may be truly called to account politically by the National Assembly in accordance with the procedures for a motion of censure or on an issue of confidence (arts. 139 and 134).

53. With regard to the judiciary, under article 140 of the Constitution "justice shall be rendered by the courts and tribunals" and "the function and powers of State representatives shall be exercised by legal officials belonging to the Office of the Public Prosecutor".

54. Parliamentary and presidential elections were held in June 1993. However, despite the adoption of the Charter of National Unity and the promulgation of the 13 March 1992 Constitution establishing a multi-party system and introducing mechanisms to prevent any ethnic imbalance arising from the creation of mono-ethnic political parties, the election campaign was turbulent and conducted along ethnic lines. The provisions of the law on political parties were circumvented without undue difficulty. The political landscape was quickly undermined by ethnicism, and there was no genuine comparison of the programmes of the various political parties. The newly elected President was sworn in on 10 July 1993, and the National Assembly took office the same month. However, the events of October 1993 brought the democratic process - including direct election of the President by universal suffrage - to a halt.

55. In the wake of the coup d'état of 21 October 1993, Burundi found itself without most of the leaders of its institutions. After the death of the President of the Republic and that of the President of the National Assembly, interim continuity was provided by the Government in accordance with article 85, paragraph 2 of the Constitution.

56. Since it was impossible to organize a vote to elect a new President, owing to the unstable security situation, the political partners ultimately agreed on a President by consensus. He, however, was killed in a plane crash on 6 April 1994. This time the position was filled by the newly elected President of the National Assembly.

(v) The Convention on Governance

57. On 10 September 1994, after long negotiations at the Palais des Congrès, Kigobe, and the Club du Lac Hotel, Kajaga, 12 recognized political parties out of 13 signed a Convention on Governance. This Convention was described as an agreement concluded between the recognized political parties for the establishment of consensus institutions, a return to peace, security and confidence, the emergence of the rule of law and the economic rehabilitation of the country. It covered a transitional period, beginning on the date of signature and ending on 9 June 1998, and brought with it significant changes in the exercise of the executive and legislative powers.

58. As regards the executive power, the agréement embodying the Convention on Governance amended the Constitution by providing that the President of the Republic should be appointed by consensus among the signatories to the Convention, and ratified by the National Assembly. His term of office would coincide with the period covered by the Convention. It withdrew the President's freedom to choose the Prime Minister and the other members of the Government. Its article 25 provided that the Prime Minister should be appointed by the President on the express recommendation of one or more interested political groupings and that the appointment should be the subject of consultations with and the common agreement of the other political groupings and civil society. The Convention also established a coalition Government to carry out the tasks entrusted to the President of the Republic and the Government. With the exception of the Minister of Justice and the Minister of Defence, the members of the Government would be drawn from all the political groupings that had signed the Convention, with 55 per cent coming

from the Forces de Changement Démocratique and 45 per cent from the opposition political parties. If a Minister left the Government, he would be replaced by a person from his own political grouping.

59. In the spirit of the Convention, the reduction in the powers of the President would lead to a corresponding increase in those of the Prime Minister. For that reason, new article 71, paragraph 3 of the Constitution authorized the Prime Minister to countersign all decrees of the President with the exception of those relating to the appointment and dismissal of the Prime Minister and to the appointment of members of the President's Cabinet. In political terms, the Prime Minister became politically accountable to the political parties, which could avail themselves of the mechanisms provided for in article 25 of the Convention on Governance to compel him to resign if he no longer commanded their confidence.

60. As regards the legislature, article 33 of the Convention stipulated that the National Assembly must agree to suspend, for the duration of the Convention, its constitutional prerogatives with respect to mechanisms for dissolving the Government. In practice, this amounted to the withdrawal of the National Assembly's right to pass a censure motion obliging the Government to resign and to impeach the President of the Republic for high treason.

61. The Convention on Governance was not a success. Peace and security continued to deteriorate. The partners in the Convention had no genuine desire to pull the country out of crisis and simply continued the futile party political battle for nothing more than a share of the posts. The Government that emerged from the Convention was unable to find lasting solutions to the basic problems facing the country and resigned, to be replaced on 25 July 1996 by a transitional Government.

(vi) Transitional regime (25 July 1996 to the present)

62. The change of Government that took place on 25 July 1996 occurred as a result of a coup d'état, by definition an extralegal act. This coup, apparently "not like all the others", was justified by the need to halt the break-up of a society and the disintegration of a State. The new authority's aim was to organize society and its institutions in such a way as to put an end to the mass violations of the right to life and establish an appropriate form of democracy. The transitional Government's plan of action is based on principles such as the restoration of peace and security, the establishment of the political foundations of a lasting peace and the stabilization and rebuilding of the various sectors of socio-economic life. However, rather than finding support for its attempts to rectify the socio-economic situation and rebuild the country, the regime encountered a fresh obstacle in the form of an embargo imposed by neighbouring countries.

63. The 1992 Constitution, which had already ceased to apply and had been undermined by the Convention on Governance, was suspended. The National Assembly and the political parties, which had been dissolved on 25 July 1996, were restored by the 13 September 1996 decree-law on the organization of an institutional system of transition. However, the new reference legislation placed certain restrictions on them in view of the political situation.

B. Organization of the executive, legislative and judicial branches

64. Decree-law No. 1/001/96 of 13 September 1996 on the organization of the institutional system of transition enshrines the principle of the separation of powers by entrusting the exercise of power not to a single body, but to several bodies, responsible each for a different function and able to counterbalance one another. Thus the executive branch is distinct from the legislative branch and the judicial branch.

1. The executive branch

65. The executive branch consists of the totality of governmental and administrative organs, which are responsible not only for implementing laws but also for defining national policy, and which in practice take the lead in initiating legislation. In Burundi, the executive comprises the President of the Republic and the Government. The head of the Government is the Prime Minister.

(a) The President of the Republic

66. "President of the Republic" is the title given to the head of the executive by decree-law No. 1/001/96 on the organization of the institutional system of transition. The President owes his political pre-eminence to the importance of his status and the extent of his powers. He is not accountable to the National Assembly. He may nevertheless be indicted before the Supreme Court for high treason (arts. 72 and 121).

67. The President of the Republic is the head of the executive. He embodies national unity, ensures respect for the Charter of National Unity and the Constitution and guarantees the continuity of the State, national independence, territorial integrity and respect for international treaties and accords (art. 61). He exercises, by decree, regulatory and executive power, which he shares with the Prime Minister (art. 62). He appoints and dismisses the Prime Minister. On the basis of proposals from the Prime Minister, he appoints and dismisses the other members of the Government (art. 63). He presides over the Council of Ministers (art. 64). He is the head of the armed forces and the security forces and has the power to declare war and sign armistice agreements (art. 65). He makes appointments to civil and military positions (art. 66), appoints and recalls ambassadors and receives the credential and letters of recall of ambassadors (art. 67). Also, he confers national orders and decorations of the Republic (art. 69).

68. In judicial matters, he has the right of pardon (art. 68) and guarantees the independence of the judiciary, with the assistance of the Higher Council of the Judicature (art. 117), of which he is President.

69. In the field of legislation, he shares with the National Assembly the right to initiate and amend bills (arts. 103 and 105). If a debate seems to him inopportune, he may order a new debate in the National Assembly (art. 106). He has the right to rule on the budget by decree-law in the event that the National Assembly does not approve it within the prescribed time (art. 100 *in fine*). With the National Assembly's authorization, he may introduce temporary legislation by decree-law in matters normally regarded as

falling within the legal domain (art. 104). In addition, he has the power to submit certain kinds of draft legislation directly to the people through referendums (art. 107). Lastly, he has emergency powers at times of crisis (art. 70). Nevertheless, he does not have the right to dissolve the National Assembly.

(b) The Government

70. The Government is a collegial body responsible for determining and conducting national policy (art. 76). It consists of the Prime Minister, Ministers and Secretaries of State and must be constituted in a spirit of national unity, with the diverse components of Burundi's population borne in mind (art. 75). The Government is accountable to the President of the Republic (art. 78).

(i) The Prime Minister

71. This is the title given to the person who directs the activities of the Government. The Prime Minister is appointed by the President of the Republic (art. 63), who has freedom of choice in appointing the Prime Minister.

72. The Prime Minister is accountable to the President of the Republic, who has the power to appoint and dismiss him. He must therefore account to the President for his actions in directing governmental activities. The National Assembly may in its turn use various means to regulate governmental activities - without, however, censuring the Government.

73. The Prime Minister is criminally accountable for offences or misdemeanours committed in the course of his duties (art. 83). He may be tried by the High Court of Justice (art. 121).

74. The Prime Minister directs the Government in accordance with decisions taken by the Council of Ministers. He countersigns decrees in the exercise of executive or regulatory power (art. 72, para. 2). He proposes candidates for appointment to the Government by the President of the Republic (art. 63, para. 2). He presides over the Council of Ministers upon express delegation by the President and for a given agenda (art. 80, para. 4). He orders all measures necessary for executing presidential decrees (art. 80, para. 2).

(ii) Ministers and Secretaries of State

75. Ministers are appointed by the President of the Republic on the basis of proposals made by the Prime Minister. This reflects the key principle of the sharing of governmental authority between the President and the Prime Minister.

76. The office of Minister is incompatible with any other function, including - in particular - the exercise of a parliamentary mandate (art. 84). This means that a member of Parliament who becomes a Minister must give up his parliamentary seat for as long as he is a Minister and must be replaced. The holding of both a parliamentary seat and a governmental post is likely to

compromise Parliament's independence of the Government. Moreover, not many people are able to do both full-time jobs for long and in a satisfactory manner.

77. The Ministers have significant powers. They countersign presidential decrees and prime ministerial orders relating to their areas of responsibility (art. 62, para. 2; art. 80, para. 3). They head the ministerial departments entrusted to them and prescribe all measures to be taken in implementation of presidential decrees other than the measures reserved for the Prime Minister (art. 81, para 2). In addition, they may exercise any other power delegated to them by the Prime Minister (art. 80 in fine).

78. The Secretaries of State assist the Ministers who head their departments. They participate as of right in the deliberations of the Council of Ministers (art. 82).

2. The legislative branch

79. Legislative power is exercised by an assembly called "the National Assembly", whose members have the title of "member of Parliament" (art. 85). This transitional assembly is made up of members of the previous National Assembly and can be supplemented or enlarged (art. 86).

80. The situation of members of Parliament is characterized from a legal point of view by a certain number of privileges and responsibilities whose purpose is to safeguard their freedom to exercise the mandates conferred on them by shielding them from pressures which could compromise their independence. These responsibilities and privileges fall into three categories: parliamentary incompatibilities, immunities and indemnities.

81. The Parliament of Burundi exercises various powers, the most important of which are the legislative power and the power to regulate the activities of the Government. The legislative power consists in drafting laws. Article 96 of the decree-law of transition has restricted the field of action of the National Assembly to certain matters that constitute the legislative domain. All other matters are dealt with by means of decrees and thus fall within the regulatory domain.

82. The Government does not have the right to impose levies or taxes or to spend money without the National Assembly's authorization. Such authorization is given at the time of the annual budget vote. If Parliament has not reached a decision by 31 December of a given year, however, the budget for that year remains in force and is implemented provisionally one twelfth at a time. An extraordinary session is held to that end. If, at the end of the session, the Assembly has not approved the budget, the latter is established definitively by decree-law passed in the Council of Ministers (art. 100 in fine).

83. Signing and ratifying international treaties and agreements is the prerogative of the President of the Republic, but Parliament must give its consent in the case of the most important international treaties. Thus, peace treaties, trade agreements, agreements relating to international organizations, conventions affecting the State's finances, agreements which

entail the amendment of legislative provisions and agreements which relate to the status of persons may be ratified only in accordance with a law (art. 138).

84. In regulating governmental action on specific points, Parliament may establish commissions of enquiry (art. 112). Similarly, members of Parliament are entitled to address written or oral questions to the Government on specific points (art. 111).

3. The Judicial branch

85. Judicial power comprises the function of trying cases - that is to say, of ensuring that violations of the law are punished and settling, on the basis of the law and with legal force, disputes which arise over the existence or application of legal rules.

86. To carry out its judicial tasks, the State has various organs, bodies and officials constituting the judicial branch. The principal distinction is between, on one hand, the judges and magistrates and, on the other, the Office of the Public Prosecutor. Article 113 of the decree-law of transition provides that "justice shall be rendered by the courts and tribunals" and "the function and powers of State representatives shall be exercised by legal officials belonging to the Office of the Public Prosecutor". In addition, there are the criminal investigation service and the court officers.

87. This list is not complete. Also participating in the administration of justice are certain extrajudicial authorities and institutions, such as the Head of State, the Minister of Justice, the Higher Council of the Judicature, the General Justice Inspectorate and the Council of the "Hill Notables" - not forgetting the participation of individuals in the administration of justice.

88. The universally recognized principle of the judiciary's independence of the legislative and the executive branch has been enshrined in the decree-law of transition. In the exercise of their functions, judges are bound only by the law (art. 116). Moreover, every legal decision must be substantiated (art. 115).

4. Other institutions

(a) The Council of the Bashingantahe for National Unity and Reconciliation

89. The Council of the Bashingantahe for National Unity and Reconciliation is an advisory body which is consulted by the President of the Republic, the Government and the National Assembly. It may also, on its own initiative, issue opinions and make them public (art. 125). It is made up of individuals recognized for their moral integrity and the interest they take in the life and, more particularity, the unity of the nation (art. 126).

90. The Council's main functions are:

(a) To reflect and advise on all essential matters relating to unity, peace and national reconciliation, and particularly those connected with the priority tasks of the transitional institutions;

(b) To monitor the evolution of Burundian society with regard to national unity and reconciliation;

(c) To produce periodic reports on the situation with regard to national unity and reconciliation and bring them to the attention of the nation;

(d) To make proposals for improving the situation with regard to national unity and reconciliation;

(e) To put forward opinions and proposals relating to other matters of national interest.

(b) The Economic and Social Council

91. Articles 128 et seq. of the decree-law of transition make the Economic and Social Council a permanent advisory body competent in all matters concerning the country's economic and social development. The establishment of the Council was dictated by the need to create a framework for the discussion and analysis of major economic and social problems that would enable the authorities, on one hand, to take concerted decisions and, on the other, to involve all economic and social development partners in the process.

(c) The National Security Council

92. The establishment of the Council was dictated by the need for an advisory body that would assist the President of the Republic in monitoring the security situation in Burundi and formulating defence strategies in times of crisis. The Council may also be consulted on any other question relating to the country's security (art. 131).

(d) The National Communications Council

93. The National Communications Council is responsible for ensuring the freedom of the audiovisual and printed media with due respect for the law, public order and moral standards. It is an independent body, guided by the principles of neutrality, objectivity and impartiality and a concern to protect the public interest. It has decision-making powers, notably in relation to respect for the freedom of the press. Also, it advises the Government in communications matters (art. 134).

III. GENERAL LEGAL FRAMEWORK WITHIN WHICH HUMAN RIGHTS ARE PROTECTED

A. Judicial, administrative or other competert authorities, with jurisdiction affecting human rights

1. Judicial authorities

94. Under article 33 of the decree-law of transition, it is the judicial branch - the guardian of public rights and freedoms - which ensures that they are respected in the manner prescribed by law. The judicial branch consists mainly of the judicature. Nevertheless, certain other institutions participate in one way or another in the administration of justice.

(a) The judicature

95. The judicature is a body of legal officials who exercise their functions within the framework of the judicial system. It consists of judges and magistrates on one hand and of legal officials belonging to the Office of the Public Prosecutor on the other.

(i) The judges and magistrates

96. Article 113 of the decree-law of transition states that justice shall be rendered by the courts and tribunals throughout the territory of the Republic in the name of the Burundian people. Law No. 1/004 of 14 January 1987, amending the Code of Judicial Organization and Competence, distinguishes between two types of court, ordinary courts and special courts.

97. The ordinary courts are courts competent to deal with all cases except those in respect of which the competence has been withdrawn from them by law and assigned to another court. The Judicial Code provides for four types of ordinary court: resident tribunals, courts of first instance, courts of appeal and the Supreme Court.

98. The special courts may rule only on cases that are expressly and restrictively entrusted to them by law. The law provides for different types of special court: labour courts, commercial courts, administrative courts, courts martial and the Military Appeal Court.

(ii) The Office of the Public Prosecutor

99. It is the Office of the Public Prosecutor which has the task of protecting public order by ensuring that laws and regulations are enforced properly. It encompasses all career legal officials responsible, before certain courts, for demanding that laws be enforced and for safeguarding the general interests of society.

100. Article 113, paragraph 2 of the decree-law of transition provides that the function and powers of State representatives shall be exercised by legal officials belonging to the Office of the Public Prosecutor. They never have to act as judges, only to demand that the laws be enforced. Their essential task is to ensure that offences lead to prosecutions.

101. Article 188 of the Judicial Code states that in criminal matters the Office of the Public Prosecutor investigates offences committed within the territory of the Republic, receives reports, conducts all examination proceedings and refers cases to the courts.

102. In criminal matters the Office of the Public Prosecutor is always the party proferring charges. Even in the event of a direct summons - that is to say, when the party claiming injury itself invokes the public right to take action - it is only the Office of the Public Prosecutor that has the power to conduct the prosecution in the competent court.

103. In civil matters, the Office of the Public Prosecutor may be, on one hand, plaintiff or defendant or, on the other, co-plaintiff or co-defendant.

It acts as a co-plaintiff or co-defendant when it participates in civil proceedings not as a plaintiff or defendant, but in order to submit observations regarding application of the law.

104. The officials belonging to the Office of the Public Prosecutor rarely go out into the field in order to investigate offences themselves. Rather, they send out police officers who act as - in the words of Teilhard - "their eyes and ears".

(b) The various police forces

105. Burundi currently has a number of police forces: the judicial police, attached to the Office of the Public Prosecutor; the Public Security Police (PSP); the Gendarmerie; and the airspace surveillance, border control and aliens' registration police (PAFE). Moreover, the law grants general police powers to certain local officials, such as provincial governors and municipal administrators.

106. All the officials in question perform police functions of a judicial nature or an administrative nature or both. In performing police functions of a judicial nature, they record offences, collect evidence, identify perpetrators and - once the information obtained has been declassified - carry out instructions received from the Office of the Public Prosecutor. In performing police functions of an administrative nature, they are responsible for ensuring that public order, safety and health are maintained.

(c) Other institutions which participate in the administration of justice

107. Certain non-judicial institutions have powers in judicial matters and may therefore participate in the protection of human rights.

(i) The President of the Republic

108. The Head of State, in addition to having the power to appoint judges, relieve them of their duties and dismiss them, is ex officio President of the Higher Council of the Judicature and exercises the right of pardon.

(ii) The Minister of Justice

109. He appoints the judges of the resident tribunals and is in charge of the legal officials belonging to the Office of the Public Prosecutor, who are under his authority and whom he may order to conduct examination proceedings. He allocates cases to the judges and is ex officio Vice-President of the Higher Council of the Judicature; he or a representative presides over the Technical Compensation Commission; he has the power to decide on conditional releases; and he supervises the General Justice Inspectorate, whose administrative personnel contribute to the smooth running of the judicial system.

(iii) The Higher Council of the Judicature

110. The Higher Council of the Judicature is responsible for ensuring that justice is administered properly and safeguarding the independence of judges in the exercise of their functions.

(iv) The General Justice Inspectorate

111. Created by decree No. 100/15 of 23 January 1987, this body is responsible for assisting the Higher Council of the Judicature in its task of monitoring the judicial institutions (art. 1). It is authorized to:

(a) Receive complaints from persons undergoing or liable to undergo trial;

(b) Take all necessary prompt corrective measures, implement irrevocable judicial decisions and suspend the execution of judgements;

(c) Carry out regular administrative and financial checks on all judicial institutions.

(v) The Technical Compensation Commission

112. The Commission is responsible for determining the amounts of compensation to be granted in cases where the State is declared to be liable.

(vi) The Council of the "Hill Notables"

113. The Council is provided for by articles 209 to 218 of the Judicial Code. Its task is to reconcile litigants (art. 209) and to offer opinions in advance of all civil cases within the jurisdiction of the resident tribunals (art. 210).

(vii) The Bar

114. Law officers who are members of the judicial branch (court registrars) or independent (advocates, interpreters, translators and physicians) play an important role in the administration of justice. The role of advocates in protecting human rights is very important, especially in the area of legal aid.

115. In the event of a violation of human rights or the infringement of a right, the injured citizen is entitled to appeal to the above-mentioned courts and tribunals for restoration of his rights. Similarly, when a citizen is prosecuted, he is guaranteed the right to a defence and to a fair trial.

2. Administrative authorities

116. Anyone may bring his grievances to the civil service authorities and administrative bodies in the event of violations. Certain departments of State have a particular interest in human rights, especially:

(a) The Ministry for Human Rights, Institutional Reform and Relations with the National Assembly

117. Decree-law No. 100/124 of 13 August 1997 determining the structure and tasks of the Government of the Republic of Burundi (art. 34) gives this Ministry the particular tasks of:

(a) Promoting and defending human rights in collaboration with other Ministries and the public and private organizations concerned;

(b) Coordinating all human rights activities;

(c) Educating the population in respect for the human person, tolerance and democratic values;

(d) Devising and promoting a programme of education for peace in collaboration with the other Ministries concerned.

(b) The Ministry of the Interior and Public Security

118. This Ministry has the task, inter alia, of participating, in collaboration with other Ministries and organizations concerned, in the protection and promotion of human rights and public freedoms at the level of the administrative districts (art. 13 of the aforementioned decree-law No. 100/124 of 13 August 1997). Also, it is responsible for managing and monitoring the territorial administration.

(c) The Ministry of Defence

119. This Ministry is responsible, in particular, for creating and developing a spirit of tolerance, respect for human rights and political neutrality within the armed forces as they go about their duties (art. 14 of decree-law No. 100/124 of 13 August 1997).

120. As is well known, Burundi has been involved since October 1993 in a war against genocidal terrorists who kill innocent people or take them hostage and commit other barbaric acts. The armed forces are obliged to respond to the terrorist attacks in order to protect the population. Innocent people are the victims of confrontations between the terrorists and the armed forces, and the latter do, unfortunately, sometimes engage in extortion. There is a certain national and international tendency, which undoubtedly originates in quarters hostile to the cause of peace, to blame the armed forces unjustly for the worst human rights violations committed in Burundi.

(d) The Ministry of Justice

121. This Ministry has been assigned, inter alia, the task of "collaborating closely with the Ministry responsible for human rights questions in order to ensure respect for the human rights and fundamental freedoms of all citizens".

(e) The Ministry for the Reintegration and Resettlement of Displaced and Repatriated Persons

122. As a result of the various crises which have afflicted Burundi, a number of people have become refugees, either within or outside the country. The existence of people who have fled their homes has created numerous problems, including that of the denial of the most basic human rights. This situation gave rise to the idea of establishing a Ministry responsible for repatriated and displaced persons, with a view to formulating, coordinating and implementing governmental policy in this area.

(f) Other Ministries

123. Within the Ministry of the Civil Service, there has been established a Commission for the Recruitment of Civil Servants which ensures that civil servants are recruited on a basis of equality.

124. Similarly, within the Ministry of Labour, Cottage Industries and Vocational Training, the Labour Inspectorate and the Employment and Workforce Department play a significant role in the protection of human rights, each in its field of competence.

125. Lastly, equal access to training, education and culture is a fundamental human right. The Ministries competent in the areas in question have therefore been assigned responsibility for protecting this right. Those Ministries are the Ministry of Primary Education and Adult Literacy and the Ministry of Secondary and Higher Education and Scientific Research.

(g) The Centre for the Promotion of Human Rights

126. The Centre, under article 3 of the decree-law setting it up (decree-law No. 1/12 of 18 April 1992), has the tasks of:

(a) Promoting human rights teaching, education and research by organizing training courses, symposia and seminars for State employees and special groups;

(b) Creating a culture of human rights and peace within the rural population, among young people and within special groups;

(c) Developing the humane attitudes of tolerance, respect and solidarity that are essential to human rights by organizing conferences, debates and round-table discussions led by human rights specialists and representatives of national or international associations established for the protection and promotion of human rights;

(d) Disseminating and drawing public attention to information from various countries about teaching in the field of human rights and peace through a documentation service which covers the numerous experiments carried out and publications issued in countries with different legal systems;

(e) Coordinating, encouraging and recording all research work and other studies in the field of human rights with a view to the production of

teaching material and the drafting of a charter (code of conduct) on the rights and duties of the Burundian citizen in the light of the Constitution and the Charter of National Unity;

(f) Establishing contacts with other countries in the region and with the various national and international associations pursuing the same objectives.

(h) The National Children's and Young People's Council

127. The decree-law of transition, which has a whole chapter devoted to the general subject of human rights, refers directly to the rights of the child only in article 24, which contains the following provisions in its last two paragraphs: "Parents have the natural right and the duty to educate and bring up their children. They shall be supported in this task by the State and the public authorities. Every child has the right, vis-à-vis its family, society and the State, to such measures of social protection as are required by its status as a minor".

128. In addition, there is the National Children's and Young People's Council, which was established by decree No. 100/070 of 10 April 1989. It is an advisory body that acts on its own initiative or at the request of the Government in devising activities for children and young people and in coordinating and assessing them.

(i) The National Labour Council

129. This is an advisory body set up within the Ministry responsible for labour matters to study labour-related problems and give opinions on labour-related proposals, draft laws and regulations.

B. Remedies available to an individual who claims that any of his rights have been violated, and systems of compensation and rehabilitation

130. Anyone who feels that his rights have been violated is entitled to appeal to the ordinary or special courts, the civil service authorities and the local administration. The public or private associations with responsibility for ensuring respect for human rights may also assist an individual in recovering his rights.

131. The systems of compensation and rehabilitation are based on the following elements:

(a) Compensation: any act committed by a person which causes harm to another places an obligation to compensate for such harm on the person at fault (Civil Code, Book III, art. 258).

(b) Damages: any obligation to act or refrain from acting entails damages in the event of non-fulfilment by the person under that obligation (Civil Code, Book III, art. 40).

C. Protection of the rights referred to in the various human rights instruments

132. The rights referred to in the various international human rights instruments are protected. Article 4 of the decree-law of transition provides that the transitional institutions shall ensure respect for the rights and duties proclaimed and guaranteed in the Universal Declaration of Human Rights, international human rights treaties, the African Charter on Human and Peoples' Rights and the Charter of National Unity. Moreover, the Constitution contains many provisions on human rights as proclaimed in the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and the Charter of National Unity. It contains, in Part III (arts. 10 to 52), a declaration of human rights and a proclamation of the duties of the individual.

D. Way in which human rights instruments are made part of the national legal system

133. The President of the Republic signs and ratifies international treaties and agreements (art. 137). However, peace treaties, trade agreements, agreements relating to international organizations, conventions affecting the State's finances, agreements which entail the amendment of legislative provisions and agreements which relate to the status of persons may be ratified only in accordance with a law (art. 138). Many domestic laws have been enacted for the purpose of implementing international instruments.

E. Application of the international instruments to internal law

134. The provisions of the various human rights instruments may be invoked before the courts or the administrative authorities and directly applied by them.

F. National institutions or machinery with responsibility for overseeing the implementation of human rights

135. In addition to the public institutions already mentioned, private associations and actively participating in the defence of human rights, especially the following associations:

- Burundi League of Human Rights (Iteka);
- Burundi League for the Defence and Promotion of Human Rights (Sonera);
- Association for Human Rights Publicity and Education (ACEDH);
- Burundi Association for the Defence of Prisoners' Rights (ABDP);
- Melchior Ndadaye Foundation for Human Rights, Democracy and Development;
- Foundation of Women for Peace, Equity and Development (FPED);
- Burundi New Horizons (NHB);

- Organization for the Promotion and Protection of the Rights of Women and the Child (OPPDFE);
- World Action against Ignorance and Poverty (AMIP);
- Association of Women Lawyers (AFJ);
- Take Action-Dufayante;
- New Burundi Human Rights (NDH);
- Iragi rya Michel Kayoya (IMK);
- National Federation of UNESCO Clubs (FENACU);
- Garukira Nyabuna Uburundi Association (GANYABU);
- Justice and Development Association (Justice et Développement);
- Association of the Burundi Buhire Centre-Tradition and Modernity (CTM);
- Federation of Women for World Peace-Burundi (FFPM-Burundi);
- Association for Unity and the Strengthening of True Friendships (ARCAMI);
- Concord and Nation Association (ACN);
- Action and Dialogue between Generations (ADIGE);
- Save Life Together (SALT);
- Association for Promotion and Solidarity (APS);
- Ubucuti Association;
- Rema Humanitarian Solidarity;
- Association of Peace and Solidarity for Development (APSD);
- Turwanire Amahoro mu Bikorwa (TAB);
- Society of Peace Apostles (CAP);
- Burundi Association for Peace and Health (ABPS);
- Foundation for Unity, Peace and Democracy;
- Hand in Hand Club (CMM);
- Hope for Life Association (AEV);

- "SOS-Intolerance" Movement;
- Ikibiri c'Amahoro;
- Islamic Circle for Youth Training, Peace and Development;
- Youth for Peace and Solidarity (JPS);
- Bambino-Pax Association;
- Anti-Genocide Association (A.C/Genocide);
- Association for the Economic Advancement of Women (APEF);
- Alliance of Women for Democracy and Development (AFDD);
- Ishirahamwe ryo Guteza Imbere Abakenyezi n'abana (IGAA);
- Kamenge Adult Literacy Training Centre (CEAAK);
- Association of Burundi Muslim Women (AFEMUBU);
- Women and Development Network Association (RED);
- Burundi Association of Women Heads of Household (ABFCF);
- Collective of Burundi Women's Associations and Organizations (CAFOB);
- Association for the Promotion of the Rights of the Child and Women's Development Initiatives (APDEIF);
- Burundi Widows' Associations (AVBU);
- Support for Undereducated Girls (AFD);
- Society for Women and AIDS in Africa (AFFSI-SWAA Burundi);
- Burundi Association of Women Journalists (AFEJO);
- International Circle of the World's Children (CIEMO);
- Humanitarian Organization for the Protection and Development of Children in Need (OPDE);
- Promotion of Food Self-Sufficiency and Assistance to Orphans in Rural Areas (PRAUTAO);
- Family to Conquer AIDS (FVA);
- Association for the Care of AIDS Orphans (APECOG);
- Defence for Children International Movement-Burundi (DEI Burundi);

- Association for the Defence of Lone Children (AFENA);
- Association for the Accommodation, Care and Social Reintegration of Orphans (Umuvyeyi);
- Burundi Association for Assistance to Physically Disabled, Abandoned or Orphan Children (Erythrines);
- World Association of Children's Friends-Burundi (AMADE-Burundi);
- Training Mission for the Protection of Orphan Children against the Risk of AIDS (MECREOS);
- Sangwe-Kibondo Association;
- "Child by Rugo" Association (EPR);
- Organization for the Community Integration of Orphan Children (OICEO);
- Christian Youth for Humanitarian Action (CHYA or JC Humanitaire);
- Patriotic Youth Solidarity (JSP);
- Association of Volunteers for Training Disadvantaged Young People (Fashabana);
- Association for Training Young Victims of the October 1993 Crisis (ASSEL);
- Youth Union for the Defence of Youth Rights (UJDD);
- Agakura Youth-Protection Association;
- Youth Solidarity for the Defence of Minority Rights (SOJEDEM);
- Personal Development Centre (CDP);
- Open Horizon Association (HORIVER);
- Youth Training Association (ASSEJ);
- "New Generation" Association;
- Jamaa Association;
- Assistance for the Socio-Economic Integration of Young Persons (AISE);
- Association for the Occupational Training and Social Integration of Young Persons (FIJ);

- Association of Reconciliation and Training for Today's Youth (AREJA);
- Burundi Scouts Association (ASB);
- Training for Young Workers (E·TO);
- Solidarity with Young Women (SJF);
- Organization for the Future of Youth (OJF);
- Young Entrepreneurs' Club (CJE);
- Family Welfare Association (ABUBEF);
- Association for the Care of War Orphans (APECOG);
- Association for Solidarity with Mentally Impaired Persons (ASPDM-Akamuri);
- Voluntary Association for Family and Community Development (AVDFC);
- Association for the family (La Famille);
- Burundi Association for the Development and Training of Aged Persons (ABUDEA);
- Association for the Advancement of Burundi's Underprivileged (APRODEBU);
- Association for the Support of War Victims (ASSOVIG);
- Garukira Abatwa b'i Burundi (GAB);
- Association for the Protection of Minorities (APM);
- Association for the Advancement of Underprivileged Groups (APGD);
- Association for the Economic Advancement of Deprived Persons (APED);
- Association for the Development and Training of Repatriated Persons (ADERBU);
- Ultima-Last-Derniers (ULD);
- Solidarity for the Rehabilitation of Drug Addicts (SORETO);
- Solidarity for Assistance to Burundi Disaster Victims (SASB);
- Burundi Retirees' Associations (ARB);

- Association for the Promotion and Protection of Freedom of Expression (APPLE);
- Burundi Press Club;
- Burundi Association of Journalists (ABJ);
- Union of Disabled Burundis (UPHB);
- Association of Burundi Paralytics (APPB);
- Association for the Community Rehabilitation of Disabled Burundis (ARCHA);
- Mushasha Centre for the Physically Disabled;
- Association for Research and Coordinated Action for Deaf Persons (ARCAB);
- Centre for the Vocational Training and Social Integration of Deaf and Blind Persons (CEPISA);
- Burundi Assistance for AIDS Sufferers (AVISI);
- Psycho-Social Support for AIDS Sufferers (APVS);
- Mutual Hope and Support for AIDS Sufferers (MESPAS);
- SIDALERTE Burundi;
- Fight for Food, Rehabilitation, Education and Health (LARES);
- Kamenge Literacy Council Association;
- Action for Integrated Development in Burundi (ADI-Burundi);
- Association for Culture and Development in Burundi (ACDB);
- Association for the Socio-Economic Integration of the Population (AIPESE);
- Ndadaye Melchior Social and Cultural Club (FONDA);
- Association for the Development and Training of Repatriated Persons (ADERBU).

IV. INFORMATION AND PUBLICITY

136. In Burundi, efforts are regularly made to acquaint the public and the competent authorities with the rights established in the various human rights instruments. Symposia and lectures on human rights have been organized and seminars on human rights have been held for educators, police legal officers and the administration. Furthermore, training in human rights is given in

primary, secondary and higher schools within the framework of civics and ethics courses. On each occasion, copies of the human rights instruments are distributed; the texts are mostly written in both official languages, Kirundi and French. The media play an important role in publicizing human rights and in human rights education.

137. The governmental agencies responsible for drafting reports are the Ministry for Human Rights, Institutional Reform and Relations with the National Assembly, the Ministry of Justice, the Ministry of External Relations and Cooperation, the Ministry for the Peace Process, the Ministry for Social Action and Women's Affairs, the Ministry of Public Health, the Ministry of Primary Education and Adult Literacy, the Ministry of Secondary and Higher Education and Scientific Research, the Ministry of Culture, Youth and Sports, and the Ministry of Labour, Cottage Industries and Vocational Training.

138. Other organizations for the defence of human rights may also prepare reports on the human rights situation in Burundi. Generally, the reports are submitted to the persons entitled to receive them.